

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ROBERT EARL HARRIS, as Heir in )  
Special Circumstances of the Estate of )  
Sarah D. Harris, )

Plaintiff, )

v. )

**JUDGMENT**

PHOENIX ASSISTED CARE, LLC, )  
WAKE COUNTY DEP'T OF HUMAN )  
SERVICES, KRISTEN BOOKER, )  
BROOKE BLANTON, ROBERT E. )  
MONROE, STELA SUSAC PAVICH, )  
PHYLLIS THOMAS and Does 1 )  
through 50, inclusive, )

No. 5:13-CV-172-FL

Defendants. )

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the Memorandum and Recommendation of the United States Magistrate Judge.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered August 21, 2013, and for the reasons set forth more specifically therein, that plaintiff's complaint is dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2). The plaintiff shall have and recover nothing from this action.

**This Judgment Filed and Entered on August 22, 2013, and Copies To:**

Robert Earl Harris (via U.S. Mail) 1111 Church St. B, Morrisville, NC 27560

August 22, 2013

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk